

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

23-CR-65 (JLS) (HKS)

CHARLES WATKINS,

Defendant.

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**DECISION AND ORDER**

Defendant Charles Watkins is charged in a three-count indictment with offenses related to controlled substances and firearm ammunition. *See* Dkt. 4. United States Magistrate Judge Schroeder was designated to hear and determine, and report and recommend on, all pre-trial proceedings under 28 U.S.C. §§ 636(b)(1)(A) and (B). Dkt. 6.

Watkins moved to suppress evidence seized from a search of premises located at 302 Esser Avenue and 287 Busti Avenue, Buffalo, New York. Dkt. 14. Watkins also filed a motion to suppress “illegally obtained statements.” Dkt. 16. The Government responded (Dkts. 15, 18), and Watkins replied (Dkt. 19).

On October 4, 2023, Judge Schroeder held oral argument on Watkins’s suppression motions. *See* Oct. 4, 2023 Minute Entry. Judge Schroeder recommended denial of Watkins’s motion to suppress statements (Dkt. 16) because no issue of fact was raised in Watkins’s affidavit. *Id.* Judge Schroeder reserved decision on Watkins’s motion to suppress evidence from the search of the two properties (Dkt. 14).

On November 16, 2023, Judge Schroeder issued a Report, Recommendation, and Order (“R&R”), recommending that this Court deny Watkins’s motion to suppress evidence seized from a search of premises located at 302 Esser Avenue and 287 Busti Avenue. Dkt. 21. Watkins objected to the R&R.<sup>1</sup> Dkt. 22. He argues that the recommendation to deny his motion to suppress the search of the two properties was incorrect. *Id.* at 1. The Government responded (Dkt. 24), and Watkins replied (Dkt. 25).

On dispositive motions, a district court may accept, reject, or modify the findings or recommendations of a magistrate judge. 28 U.S.C. § 636(b)(1); Fed. R. Crim. P. 59(b)(3). A district court must review *de novo* those portions of a magistrate judge’s recommendation to which a party objects. 28 U.S.C. § 636(b)(1); 28 U.S.C. § 636(b)(1); Fed. R. Crim. P. 59(b)(3). But a district court need not review the recommendation of a magistrate judge to which no party objects. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985).

*De novo* review applies to Watkins’s objection to the R&R’s denial of his motion to suppress evidence seized from 302 Esser Avenue and 287 Busti Avenue. *See* 28 U.S.C. § 636(b)(1); Fed. R. Crim. P. 59(b)(3). This Court carefully reviewed Judge Schroeder’s recommendations and the relevant record. Based on that review, the Court accepts and adopts Judge Schroeder’s recommendations to deny Watkins’s motions.

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<sup>1</sup> Watkins does not object to Judge Schroeder’s recommendation that Watkins’s motion to suppress certain statements, Dkt. 16, be denied.

**CONCLUSION**

For the reasons above and in the R&R, the Court **accepts and adopts** the recommendations in the R&R (Dkt. 21) and at the October 4, 2023 Oral Argument, and **DENIES** each of Watkins's motions to suppress (Dkts. 14, 16).

**SO ORDERED.**

Dated: February 16, 2024  
Buffalo, New York



JOHN L. SINATRA, JR.  
UNITED STATES DISTRICT JUDGE